

CITY COUNCIL MINUTES

FOR

APRIL 13, 2006

The Round Rock City Council met Regular Session on Thursday, April 13, 2006 in the City Council Chamber, 221 E. Main Street.

CALL REGULAR SESSION TO ORDER - 7:00 P.M.

PLEDGE OF ALLEGIANCE

Mayor Maxwell asked Scott and Tyler Cozy from Boy Scout Troop 157 and members from Boy Scout Troop 365 to help lead the Pledge of Allegiance.

ROLL CALL: Those members present were Mayor Nyle Maxwell, Councilmember Rufus Honeycutt, Councilmember Joe Clifford, Councilmember Carlos T. Salinas, Councilmember Scott Rhode and Councilmember Ted Williamson. Mayor Pro-tem Alan McGraw was absent. Also present were City Manager Jim Nuse and City Attorney Steve Sheets.

CITIZENS COMMUNICATIONS:

Stephen Benold, 105 Tanksley Circle, Georgetown spoke on medical direction and credentialing of firefighters.

Representatives from Diversity Staffing presented awards to their employees for a great job in cleaning city offices. The City was also presented with an award for "opening the City's doors and continuing to provide meaningful work to persons with barriers to employment."

PROCLAMATIONS:

5.A. Consider a proclamation recognizing Helen Griffith upon her retirement from the City of Round Rock. Mayor Maxwell read the following proclamation and presented it to Helen Griffith.

WHEREAS, Helen Griffith has served as a library staff member for 32 years working in virtually every position at the library at some point in her career; and

WHEREAS, Mrs. Griffith has seen the library go through significant changes through the years growing from a small storefront to a 42,000 square foot facility that is a fully funded city agency; and

WHEREAS, when extended the invitation to be the Director of the library, Mrs. Griffith declined as she felt a professionally trained person should hold that title in light of the changes that were coming to Round Rock; and

WHEREAS, Helen Griffith has been previously honored for her contributions to the library through the naming of the library for both her husband Mayor Pro-Tem Robert Griffith and herself; and

WHEREAS, the library was the primary focus of her life outside of raising her child, assisting her husband in his community activities, and involvement in her church; and

WHEREAS, members of the City Councils, past and present, appreciate the work and devotion that Helen Griffith gave to the library during the past three decades,

NOW, THEREFORE, I, NYLE MAXWELL, Mayor of the City of Round Rock, Texas on behalf of the City Council and staff wish Helen Griffith the best during her retirement years and hope that she will, like many others before her, come back to the library to volunteer, borrow materials, and continue to include the library as part of her life.

PROCLAIMED this 13th day of April 2006.

5.B. Consider proclaiming April 23-29, 2006 as Volunteer Week. Mayor Maxwell read the following proclamation and presented it to Victoria Lippman, Executive Director of the Round Rock Volunteer Center.

WHEREAS, residents of the City of Round Rock have continually demonstrated their willingness to participate in community efforts by volunteering their time and talent toward many worthy projects; and

WHEREAS, in 2005 it would have been impossible to carry out the numerous events and programs in Round Rock without the dedicated service of the 5,744 referrals that the Round Rock Volunteer Center made to local nonprofits and city agencies; and

WHEREAS, far too often, the nearly 100 million Americans who annually volunteer their time, creativity and effort do not receive the recognition they so richly deserve; therefore, in 1974 National Volunteer Week was designated by Executive Order as an annual observance; and

WHEREAS, during this week, the Round Rock Volunteer Center plans to celebrate by announcing the winners of the "Inspire by Example" middle school poster contest, distribute Youth Summer Volunteer flyer throughout area high schools, and end the week with a Brushy Creek Clean Up Project.

NOW, THEREFORE, I, NYLE MAXWELL, Mayor of the City of Round Rock, Texas do hereby proclaim the week of April 23rd – 29th, 2006 as

"VOLUNTEER WEEK"

in the City of Round Rock and urge all citizens of the community to join with me in supporting the Round Rock Volunteer Center whose mission is to develop, support and promote volunteerism in the greater Round Rock area.

PROCLAIMED this 13th day of April 2006.

PRESENTATIONS:

6.A.1. Consider a presentation of the Wayfinding Plan. This item was withdrawn from the agenda at the request of staff.

CONSENT AGENDA:

The following items were considered routine by the City Council and were enacted by one motion. There was no separate discussion on any of these items and no items were removed from the consent agenda.

*8.A. Consider approval of the City Council minutes for March 23, 2006.

*9.C.2. Consider an ordinance adopting the 2005-2006 Ron Sproull Memorial fund budget and closing the fund. (Second Reading)

*9.D.2. Consider an ordinance amending the 2005-2006 Hotel Occupancy Tax Budget.

(Second Reading)

*10.E.4. Consider a resolution authorizing the Mayor to execute a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Joseph Barresi and Marion Barresi, and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the minor rehabilitation of Lot 3, Block J, Mesa Park Section 2, also known as 1709 Mesa Park Drive West.

*10.E.5. Consider a resolution authorizing the Mayor to execute a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Shameika Brown and Minnie Brown, and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the minor rehabilitation of Lot 31, Block R, Greenslopes at Lakecreek, Section 10B, also known as 1314 E. Logan Drive.

*10.E.6. Consider a resolution authorizing the Mayor to execute a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Mary Ann De La Vega, and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the minor rehabilitation of Lot 25, Block E, Greenhill, Section 3, also known as 1902 Easton Drive.

*10.E.7. Consider a resolution authorizing the Mayor to execute a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Thomas Carlin and Susie Briseno, and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the minor rehabilitation of Lot 8, Block A, Old Town Meadows, also known as 1402 Larchwood Cove.

*10.E.8. Consider a resolution authorizing the Mayor to execute a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with James Reed, Jr., and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the minor rehabilitation of Lot 4, Block A, Somerset, also known as 1611 Somerset Drive.

Councilmember Williamson

Mayor Maxwell

Nays: None

Absent: Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

APPROVAL OF MINUTES:

*8.A. Consider approval of the City Council minutes for March 23, 2006.

This item was approved under the consent agenda.

ORDINANCES:

9.A.1. Consider an ordinance amending Chapter 1, Section 1.1008 of the Round Rock Code of Ordinances amending the time limits for Citizen Communication and establishing procedures and time limits for public hearings. (First Reading) Jim Nuse, City Manager made the staff presentation. Many years ago, the City Council adopted an ordinance setting out the procedures for addressing the Council during "Citizen Communication". This included filling out a registration card as well as limiting the time for presentations. However, the ordinance did not address any procedures for citizens addressing the Council during Public Hearings. This has sometimes led to confusion on the part of the citizens addressing the Council. This ordinance is an effort to have consistent procedures for both Citizen Communication and Public Hearings. In drafting this ordinance, area cities were polled and Austin, Pflugerville, and Georgetown all had three (3) minute limits. College Station and Plano also have a three-minute limit for Public Hearings. To be consistent, staff recommended that the Council adopt a three-minute limit for presentations during both Citizen Communications and Public Hearings. Staff believes that this will afford an ample opportunity for the citizens wishing to address the Council and that it will allow time for all persons to be heard without causing an undue delay in the Council meetings.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, CHAPTER 1, SECTION 1.1008 AMENDING THE TIME LIMITS FOR CITIZEN COMMUNICATION AND ESTABLISHING PROCEDURES AND TIME LIMITS FOR PUBLIC HEARINGS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Councilmember Salinas moved to adopt the ordinance. Councilmember Clifford seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Councilmember Clifford
 Councilmember Salinas
 Councilmember Rhode
 Councilmember Williamson
 Mayor Maxwell
 Nays: None
 Absent: Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

MOTION: Councilmember Honeycutt moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present and to adopt the ordinance. Councilmember Clifford seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Councilmember Clifford
 Councilmember Salinas
 Councilmember Rhode
 Councilmember Williamson
 Mayor Maxwell
 Nays: None
 Absent: Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

9.B.1. Consider an ordinance annexing 30.05 acres of land out of the Joseph Marshall Survey. (Highland Terrace) (First Reading) Jim Stendebach, Planning and Community Development Director made the staff presentation. This property is located outside the city limits and has no zoning designations and abuts a single-family residential subdivision to both the west and north. Staff recommended that in order to preserve the integrity of this area by ensuring that this tract is developed in a manner compatible with the existing neighborhood that it should be

annexed. Annexation will allow the City to apply zoning regulations to the property and preclude any undesirable development, such as mini-warehouses, that can be operated without City utilities. All statutory requirements of the Texas Local Government Code were followed.

ORDINANCE NO. _____

AN ORDINANCE ANNEXING CERTAIN HEREINAFTER-DESCRIBED ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ROUND ROCK, TEXAS, TO-WIT: 30.05 ACRES DESCRIBED IN EXHIBIT "A", ALL OF SAID PROPERTY BEING SITUATED IN WILLIAMSON COUNTY, TEXAS, AND ALL ADJACENT ROADWAYS BEING FOR ANNEXATION; EXTENDING THE BOUNDARY LIMITS OF ROUND ROCK SO AS TO INCLUDE SAID PROPERTY WITHIN ROUND ROCK'S CITY LIMITS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH PROPERTY SHALL BECOME A PART OF THE CITY AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY NOW IN EFFECT AND THOSE WHICH ARE HEREINAFTER ADOPTED; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Councilmember Rhode moved to adopt the ordinance. Councilmember Williamson seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None
	Absent:	Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

MOTION: Councilmember Clifford moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present and to adopt the ordinance. Councilmember Honeycutt seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode

Mayor Maxwell

Absent: Mayor Pro-tem McGraw

9.B.2. Consider an ordinance annexing 69.557 acres of land out of the Willis Donaho

Jim Stendebach, Planning and Community Development Director made the staff presentation. The property is located outside the city limits, has no zoning, and is a light industrial/business park development. The location of the tract is at a prominent corner of FM 1460 and Old Settlers Boulevard. It is therefore important for the City to control the land use and preserve the quality development that currently exists with the single-family residential subdivisions to the south and for any future expansions or developments. All statutory requirements of the Texas Local Government Code were followed.

AN ORDINANCE ANNEXING CERTAIN HEREINAFTER-DESCRIBED ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ROUND ROCK, TEXAS, TO-WIT: 69.557 ACRES DESCRIBED IN EXHIBIT "A", ALL OF SAID PROPERTY BEING SITUATED IN WILLIAMSON COUNTY, TEXAS, AND ALL ADJACENT ROADWAYS BEING FOR ANNEXATION; EXTENDING THE BOUNDARY LIMITS OF ROUND ROCK SO AS TO INCLUDE SAID PROPERTY WITHIN ROUND ROCK'S CITY LIMITS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH PROPERTY SHALL BECOME A PART OF THE CITY AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY NOW IN EFFECT AND THOSE WHICH ARE HEREINAFTER ADOPTED; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

VOTE:

Ayes:

Councilmember Honeycutt

Councilmember Clifford

Councilmember Salinas

Councilmember Rhode

Councilmember Williamson

Mayor Maxwell

Nays: None

Absent: Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

MOTION: Councilmember Honeycutt moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present and to adopt the ordinance. Councilmember Clifford seconded the motion.

VOTE: Ayes: Councilmember Honeycutt

Councilmember Clifford

Councilmember Salinas

Councilmember Rhode

Councilmember Williamson

Mayor Maxwell

Nays: None

Absent: Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

9.C.1. Consider an ordinance amending Chapter 1, Section 1.1700 of the Round Rock Code of Ordinances by setting fees for parks and recreation facilities. (Amended for Second Reading) Rick Atkins, Parks and Recreation Director made the staff presentation. This ordinance will set the fees for the Baca Center and Rock 'n River Family Aquatic Center. In addition, the fees for the current pools, recreation centers, fields, and equipment will be brought up to date. This ordinance also sets the age limit for dual membership for the Clay Madsen Recreation Center and the Allen Baca Center.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 1, SECTIONS 1.1703, 1.1706, AND 1.1707, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, TO INCREASE RECREATIONAL PROGRAM FEES; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES.

MOTION: Councilmember Rhode moved to adopt the ordinance. Councilmember Williamson seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Councilmember Clifford
 Councilmember Salinas
 Councilmember Rhode
 Councilmember Williamson
 Mayor Maxwell
 Nays: None
 Absent: Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

*9.C.2. Consider an ordinance adopting the 2005-2006 Ron Sproull Memorial fund budget and closing the fund. (Second Reading) This item was approved under the consent agenda.

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE RON SPROULL MEMORIAL FUND FOR THE 2005-2006 FISCAL YEAR AND CLOSING THE FUND.

9.D.1. Consider an ordinance amending Chapter 1, Section 1.1103 of the Round Rock Code of Ordinances establishing fees for customer initiated on-line and telephone payment systems. (First Reading) Cindy Demers, Director of Finance made the staff presentation. The City is in the process of implementing on-line and telephone payment options for City customers. These new services will initially provide customers the convenience of paying utility bills through the City's web page or through an interactive voice response telephone system. After the initial implementation with utility bills, staff will begin adding this service for other fees, fines, permits or licenses where appropriate. To help offset the additional merchant services and bank fees associated with providing these payment systems, the City is requesting a convenience fee of \$2.50 for the use of the payment systems.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, CHAPTER 1, SECTION 1.1103 AMENDING CONVENIENCE FEE CHARGES; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the provisions of Section 6.203(2)(b) of the Code of Ordinances are hereby waived, in order to permit the El Amistad Club to play music from 10:00 p.m. on Saturday, May 27, 2006 until 1:00 a.m. on Sunday, May 28, 2006, and from 10:00 p.m. until 12:00 midnight on Sunday, May 28, 2006.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

MOTION: Councilmember Rhode moved to approve the resolution. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None
	Absent:	Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

10.B.1. Consider a resolution creating a Task Force to Encourage Philanthropy for Arts and Cultural Activities. Dale Ricklefs, Library Director made the staff presentation. Several non-profit and other venues in the City are interested in more fully developing philanthropy in the City. There are departments in the City that have aspects of culture and arts as part of their mission. This task force, which will exist for one year from the time that the task force is appointed, will investigate the various forms of philanthropy that exist to help such efforts grow and develop past their current state. Members of the Task Force will be appointed by the City Council.

RESOLUTION NO. _____

WHEREAS, the Round Rock City Council wishes to establish a Task Force to Encourage Philanthropy for Arts and Cultural Activities, and

WHEREAS, the purpose of the Task Force is to be advisory to the City Council on matters pertaining to issues relative to arts and cultural activities in Round Rock, equipment, or supplies to be provided, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Task Force to Encourage Philanthropy for Arts and Cultural Activities is hereby created, as set forth in Exhibit "A", attached hereto and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

MOTION: Councilmember Honeycutt moved to approve the resolution with the amendment of appointing Gisele Schaefer as interim Chairman until the Task Force can appoint a permanent Chairman. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None
	Absent:	Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

10.C.1. Consider a resolution authorizing the Mayor to execute a letter setting forth the City's consent to the creation of the proposed Williamson County Emergency Services District No. 9. Larry Hodge, Fire Chief made the staff presentation. The citizens of the area that would consist of Williamson County Emergency Services District No. 9 filed a petition with the County Judge of Williamson County, Texas for the formation of an Emergency Services District pursuant to Chapter 775, Texas Health & Safety Code. Staff recommended approval of the consent to create Emergency Services District (ESD) No. 9.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock is in support of the formation of the proposed Williamson County Emergency Services District No. 9 ("ESD"), and

WHEREAS, the new ESD will not include any territory that is outside of the City of Round Rock's extraterritorial jurisdiction, and

WHEREAS, the City of Round Rock wishes to give its consent to the creation of the ESD, Now Therefore

BE IT RSOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a letter setting forth the City's consent to the creation of the proposed Williamson County Emergency Services District No. 9, a copy of same being attached hereto as Exhibit "A" and incorporated herein.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Williamson seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None
	Absent:	Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

10.C.2. Consider a resolution authorizing the Mayor to execute an agreement with the Capital Area Council of Governments regarding the use of their Emergency Notification System.

Larry Hodge, Fire Chief made the staff presentation. This agreement is for the use of a web based emergency notification system provided by CAPCOG. This agreement would allow designated employees of the City of Round Rock to activate an emergency call back system to notify a portion of the public regarding an emergency situation such as flooding, a sniper event, an Alzheimer's patient lost in the area, hazardous materials incident, and similar life threatening events. The use of door-to-door notification may not be practical due to the nature or time sensitivity of the event. In this case, the use of the Emergency Notification System, commonly referred to as "reverse 9-1-1" would be utilized to notify the occupants in a more timely fashion. This type of system could be utilized for notifying affected areas of up to approximately 3,500

households. Incidents requiring notification of larger areas than this would require the use of radio or television to notify the individuals in a timely fashion.

RESOLUTION NO. _____

WHEREAS, the Emergency Notification System is provided by the Capital Area Council of Governments ("CAPCOG") to the City of Round Rock (the "City") to provide warnings and alert citizens regarding information in an emergency situation where property or human life is in jeopardy, and

WHEREAS, only select individuals are authorized to initiate use of the system on behalf of the City, including the Mayor, City Manager, Police Chief and Fire Chief, or their designee, and

WHEREAS, Texas Health & Safety Code, Section 771.061(a), provide that the 9-1-1 Database information be used only in an emergency situation and will be kept confidential and not available to the public for inspection, and

WHEREAS, Comm'n on State Emergency Communications, 1 Tex. Admin. Code §251.13 (May 2, 2004) (Use of 9-1-1 Database) requires that the City agree to maintain the confidentiality of the 9-1-1 Database information, and

WHEREAS, the City wishes to enter into an Emergency Notification System Agreement with CAPCOG, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Emergency Notification System Agreement with CAPCOG, a copy of said Agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

MOTION: Councilmember Rhode moved to approve the resolution. Councilmember Salinas seconded the motion.

VOTE: Ayes: Councilmember Honeycutt

Councilmember Clifford

Councilmember Salinas

Councilmember Rhode

Councilmember Williamson

Mayor Maxwell

Nays: None

Absent: Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

10.D.1. Consider a resolution authorizing the Mayor to execute Change Order No. 4 with Cash Construction Company for the CR 122 Street Improvements Project and the East Water

Transmission Line, Phase 3-A Project. Thomas G. Martin, P.E., Director of Transportation Services made the staff presentation. Red Bud Lane Improvements were designed by Baker Aicklen & Associates Engineering, based on a professional services contract approved by the City Council on January 26, 2006. Change Order No. 4 for the CR 122 Street Improvements Phase I and II/East Water Transmission Main, Phase 3-A will provide for additional work as needed to adjust for utility conflicts with SBC & Manville water lines; to relocate and adjust fire hydrants; additional mailbox relocates; and the additional of storm sewer to avoid utility conflicts. The amount of the change order is \$70,848.51.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has previously entered into a contract ("Contract") with Cash Construction Company, Ltd. for the Red Bud Lane (CR 122) Street Improvements Project and the East Water Transmission Line Phase 3-A Project, and

WHEREAS, the Council has determined that it is necessary to make changes to the quantity of work to be performed or materials, equipment, or supplies to be provided, and

WHEREAS, it has been determined that it is necessary to change said Contract in accordance with the attached Contract Change Order No. 4, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City Contract Change Order No. 4 to the Contract with Cash Construction Company, Ltd., a copy of said change order being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

MOTION: Councilmember Clifford moved to approve the resolution. Councilmember Honeycutt seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None
	Absent:	Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

10.D.2. Consider a resolution authorizing the Mayor to execute Change Order No. 2 with RGM Constructors, L.P. for the construction of A.W Grimes Boulevard Phase II from Lake Creek to US 79. Thomas G. Martin, P.E., Director of Transportation Services made the staff presentation.

A.W. Grimes is a six lane divided arterial roadway that will complete a north-south route from SH 45 to Highway 79. A. W. Grimes was approved for construction on July 14, 2005. In order to accommodate the proposed drainage system for the Highway 79 construction, the 16-inch waterline needs to be lowered to avoid the conflict with the proposed drainage boxes at the intersection of A.W. Grimes and Highway 79. The amount of the change order is \$55,274.00.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has previously entered into a contract ("Contract") with RGM Constructors, L.P. for the A.W. Grimes, Phase II Construction Project, and

WHEREAS, the Council has determined that it is necessary to make changes to the quantity of work to be performed or materials, equipment, or supplies to be provided, and

WHEREAS, it has been determined that it is necessary to change said Contract in accordance with the attached Contract Change Order No. 2, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City Contract Change Order No. 2 to the Contract with RGM Constructors, L.P. for the A.W. Grimes, Phase II Construction Project, a copy of said change order being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

MOTION: Councilmember Salinas moved to approve the resolution. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None
	Absent:	Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

10.D.3. Consider a resolution authorizing the Mayor to execute Change Order No. 4 with RGM Constructors, L.P. for the construction of A.W Grimes Boulevard Phase II from Lake Creek to US 79. Thomas G. Martin, P. E., Director of Transportation Services made the staff presentation. The A.W. Grimes Boulevard Phase II project was awarded to RGM Constructors, L.P., on July 14, 2005 for \$4,978,357.76. This project is the second Phase of the A. W. Grimes improvements. Phase I constructed a six-lane section from SH 45 to Lake Creek. As part of the second phase, UPRR will reconstruct their bridge over Brushy Creek to accommodate the City's underpass on the Railroad. When complete, A.W. Grimes Boulevard will provide a new arterial roadway from Lake Creek to US 79 and complete the Arterial Roadway from SH 45 to US 79. This change order is to provide installation of 6'x4' Box Culvert, during construction of the A.W. Grimes Project to facilitate the proposed drainage for the US 79 project; reroute and replace existing wastewater line conflicting with roadway and pedestrian tunnel; demolition of existing grate inlet located in curb and gutter of the proposed roadway; relocate existing water service located in proposed sidewalk; provide additional silt fence; remove and relocated the existing 16-inch waterline south of the bridge between the back of the curb and the segmental block wall; and provide illumination pole bracket at the bridge rail pilaster per RTG drawing sheet 111B dated February 22, 2006. The amount of the change order is \$256,421.00.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has previously entered into a contract ("Contract") with RGM Constructors, L.P. for the A.W. Grimes, Phase II Construction Project, and

WHEREAS, the Council has determined that it is necessary to make changes to the quantity of work to be performed or materials, equipment, or supplies to be provided, and

WHEREAS, it has been determined that it is necessary to change said Contract in accordance with the attached Contract Change Order No. 4, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City Contract Change Order No. 4 to the Contract with RGM Constructors, L.P. for the A.W. Grimes, Phase II Construction Project, a copy of said change order being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

MOTION: Councilmember Williamson moved to approve the resolution. Councilmember Honeycutt seconded the motion.

Absent: Mayor Pro-tem McGraw

10.D.4. Consider a resolution authorizing the Mayor to execute a Contract for

RESOLUTION NO. _____

RESOLVED this 13th day of April 2006.

MOTION: Councilmember Rhode moved to approve the resolution. Councilmember Clifford seconded the motion.

VOTE:

Ayes:	Councilmember Honeycutt
	Councilmember Clifford
	Councilmember Salinas
	Councilmember Rhode
	Councilmember Williamson
	Mayor Maxwell
Nays:	None
Absent:	Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

10.D.5. Consider a resolution authorizing the Mayor to execute an Existing At-Grade Public Road Crossing Improvement Agreement with Union Pacific Railroad Company for the crossing at Red Bud Lane. Thomas G. Martin, P.E., Director of Transportation Services made the staff presentation. The Existing At-Grade Public Road Crossing Improvement Agreement is for the reconstruction of the existing railroad crossing of CR 122, south of US 79. In addition to the work on the crossing, this agreement also provides for the temporary relocation of the railroad signals to accommodate Phase III improvements to CR 122 as well as the bridge over Brushy Creek. Phase III improvements were designed by HDR Engineering, based on a professional services contract approved by the City Council on October 13, 2005. The expected letting date of this work is in April, 2006. The amount of the agreement is \$124,101.00.

RESOLUTION NO. _____

WHEREAS, in connection with the CR 122 Improvements Project, the City of Round Rock wishes to enter into an Existing At-Grade Public Road Crossing Improvement Agreement with Union Pacific Railroad Company, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Existing At-Grade Public Road Crossing Improvement Agreement with Union Pacific Railroad Company, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Williamson seconded the motion.

VOTE:

Ayes:	Councilmember Honeycutt
	Councilmember Clifford
	Councilmember Salinas
	Councilmember Rhode
	Councilmember Williamson
	Mayor Maxwell
Nays:	None
Absent:	Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

10.E.1. Consider a resolution directing the Planning Director to prepare a service plan concerning the annexation of 32.170 acres of land out of the Robert McNutt Survey. (Travis Johnson Tract) Jim Stendebach, Planning and Community Development Director made the staff presentation. This tract of land is located within the City of Round Rock's ETJ and in Williamson County and is known as the Johnson Tract. The acreage total of 32.170 acres is located on the south side of CR 123, north of the Greenfield Subdivision and east of CR 122. Staff recommended that this tract be annexed in order to control the development of this area and to protect the existing single-family residential subdivisions abutting this tract to the south and west.

RESOLUTION NO. _____

WHEREAS, Section 43.065(a) of the Texas Local Government Code requires that, within certain specified statutory timeframes, the City Council of the City of Round Rock must direct the City's Planning Director to prepare a service plan that provides for the extension of full municipal services to the areas which are proposed for annexation, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the City Council hereby directs the City's Planning Director to prepare a service plan that provides for the extension of full municipal services to the following area proposed for annexation, said property being further described in Exhibit "A" attached hereto and incorporated herein for all purposes:

(1) Johnson Tract (32.170 acres, more or less);

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the

subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

MOTION: Councilmember Salinas moved to approve the resolution. Councilmember Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None
	Absent:	Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

10.E.2. Consider a resolution directing the Planning Director to prepare a service plan concerning the annexation of 46.45 acres of land out of the P.A. Holder Survey. (Round Rock East Subdivision, A.W. Grimes ROW and Wiggington Tract) Jim Stendebach, Director of Planning and Community Development made the staff presentation. This tract of land is located within the City of Round Rock's ETJ and in Williamson County. This tract is comprised of Round Rock East, an unrecorded subdivision, a portion of A.W. Grimes ROW and the Wiggington Tract, for a total of 46.45 acres located on the north side of Gattis School Road, just west of the A.W. Grimes Boulevard intersection. Staff recommended the annexation of this tract in order to control the development along Gattis School Road and A.W. Grimes Boulevard and to protect the existing single-family residential subdivisions surrounding this tract.

RESOLUTION NO. _____

WHEREAS, Section 43.065(a) of the Texas Local Government Code requires that, within certain specified statutory timeframes, the City Council of the City of Round Rock must direct the City's Planning Director to prepare a service plan that provides for the extension of full municipal services to the areas which are proposed for annexation, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the City Council hereby directs the City's Planning Director to prepare a service plan that provides for the extension of full municipal services to the following area proposed for annexation, said property being further described in Exhibit "A" attached hereto and incorporated herein for all purposes:

- (1) Round Rock East Subdivision, A.W. Grimes ROW and Wigginton (46.45 acres, more or less).

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

MOTION: Councilmember Rhode moved to approve the resolution. Councilmember Honeycutt seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None
	Absent:	Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

10.E.3. Consider a resolution authorizing the Mayor to execute an Amendment to Interlocal Agreement with Williamson County to define platting jurisdiction. Jim Stendebach, Director of Planning and Community Development made the staff presentation. This amendment to the Interlocal Agreement between the City of Round Rock and Williamson County will transfer platting authority for 1,411 acres of land generally lying between Sam Bass Road and Brushy Creek and 171 acres of land known as the Morningside Meadows Subdivision to Williamson County. These areas are currently platted into residential lots built to county standards. With this transfer of jurisdiction, county standards would continue to apply to the existing tracts whenever minor replatting is required. It is highly unlikely that the City would annex any of this area in the near future. On April 11, 2006, Williamson County Court Commissioners voted to approve this amendment to the Interlocal Agreement.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has previously entered into an Interlocal Agreement with Williamson County to identify the government responsible for regulating plats and permits in various portions of Round Rock's ETJ, and

WHEREAS, the City now wishes to amend said agreement to include 1,411 acres of land generally lying between Sam Bass Road and Brushy Creek, and 171 acres of land known as the Morningside Meadows Subdivision in Williamson County's jurisdiction, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City said Amendment to Interlocal Agreement, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None
	Absent:	Mayor Pro-tem McGraw

ACTION: The motion carried unanimously.

*10.E.4. Consider a resolution authorizing the Mayor to execute a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Joseph Barresi and Marion Barresi, and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the minor rehabilitation of Lot 3, Block J, Mesa Park Section 2, also known as 1709 Mesa Park Drive West. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has been awarded grant funds which may be spent for the provision of certain services authorized under the U.S. Department of Housing and Urban Development Community Development Block Grant Program, and

WHEREAS, the City of Round Rock wishes to assist qualified homeowners in the minor rehabilitation of their residence by providing a non-interest bearing loan to pay a contractor for labor, materials and equipment to be utilized in the rehabilitation, and

WHEREAS, the City Council desires to enter into a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Joseph and Marion Barresi for the rehabilitation of Lot 3, Block J, Mesa Park Section 2, also known as 1709 Mesa Park Drive West ("Property"), and

WHEREAS, the City Council desires to enter into a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the rehabilitation of the Property, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City, a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Joseph and Marion Barresi, and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc., a copy of said agreements being attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

*10.E.5. Consider a resolution authorizing the Mayor to execute a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Shameika Brown and Minnie Brown, and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the minor rehabilitation of Lot 31, Block R, Greenslopes at Lakecreek, Section 10B, also known as 1314 E. Logan Drive. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has been awarded grant funds which may be spent for the provision of certain services authorized under the U.S. Department of Housing and Urban Development Community Development Block Grant Program, and

WHEREAS, the City of Round Rock wishes to assist qualified homeowners in the minor rehabilitation of their residence by providing a non-interest bearing loan to pay a contractor for labor, materials and equipment to be utilized in the rehabilitation, and

WHEREAS, the City Council desires to enter into a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Shameika and Minnie Brown for the rehabilitation of Lot 31, Block R, Greenslopes at Lakecreek Section 10B, also known as 1314 E. Logan Street ("Property"), and

WHEREAS, the City Council desires to enter into a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the rehabilitation of the Property, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City, a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Shameika and Minnie Brown, and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration,

Inc., a copy of said agreements being attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

*10.E.6. Consider a resolution authorizing the Mayor to execute a Community

Development Block Grant - Community Housing Repair Program Homeowner Agreement with

Mary Ann De La Vega, and a Community Development Block Grant - Community Housing Repair

Program Contractor Agreement with All Tex Building & Restoration, Inc. for the minor

rehabilitation of Lot 25, Block E, Greenhill, Section 3, also known as 1902 Easton Drive.

This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has been awarded grant funds which may be spent for the provision of certain services authorized under the U.S. Department of Housing and Urban Development Community Development Block Grant Program, and

WHEREAS, the City of Round Rock wishes to assist qualified homeowners in the minor rehabilitation of their residence by providing a non-interest bearing loan to pay a contractor for labor, materials and equipment to be utilized in the rehabilitation, and

WHEREAS, the City Council desires to enter into a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Mary Ann DeLaVega for the rehabilitation of Lot 25, Block E, Greenhill Section 3, also known as 1902 Easton Drive ("Property"), and

WHEREAS, the City Council desires to enter into a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the rehabilitation of the Property, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City, a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Mary Ann DeLaVega, and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc., a copy of said agreements being attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

*10.E.7. Consider a resolution authorizing the Mayor to execute a Community

Development Block Grant - Community Housing Repair Program Homeowner Agreement with

Thomas Carlin and Susie Briseno, and a Community Development Block Grant - Community

Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the minor rehabilitation of Lot 8, Block A, Old Town Meadows, also known as 1402 Larchwood Cove.

This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has been awarded grant funds which may be spent for the provision of certain services authorized under the U.S. Department of Housing and Urban Development Community Development Block Grant Program, and

WHEREAS, the City of Round Rock wishes to assist qualified homeowners in the minor rehabilitation of their residence by providing a non-interest bearing loan to pay a contractor for labor, materials and equipment to be utilized in the rehabilitation, and

WHEREAS, the City Council desires to enter into a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Thomas Carlin and Susie Briseno for the rehabilitation of Lot 8, Block A, Old Town Meadows, also known as 1402 Larchwood Cove ("Property"), and

WHEREAS, the City Council desires to enter into a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the rehabilitation of the Property, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City, a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Thomas Carlin and Susie Briseno, and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc., a copy of said agreements being attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

*10.E.8. Consider a resolution authorizing the Mayor to execute a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with James Reed, Jr., and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the minor rehabilitation of Lot 4, Block A, Somerset, also known as 1611 Somerset Drive. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has been awarded grant funds which may be spent for the provision of certain services authorized under the U.S. Department of Housing and Urban Development Community Development Block Grant Program, and

WHEREAS, the City of Round Rock wishes to assist qualified homeowners in the minor rehabilitation of their residence by providing a non-interest bearing loan to pay a contractor for labor, materials and equipment to be utilized in the rehabilitation, and

WHEREAS, the City Council desires to enter into a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with James Reed, Jr. for the rehabilitation of Lot 4, Block A, Somerset, also known as 1611 Somerset Drive ("Property"), and

WHEREAS, the City Council desires to enter into a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the rehabilitation of the Property, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City, a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with James Reed Jr., and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc., a copy of said agreements being attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

*10.E.9. Consider a resolution authorizing the Mayor to execute a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Felipe Munoz and Claudia Ornelas Munoz, and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the minor rehabilitation of Lot 2, Block G, Mesa Ridge Section 1, also known as 1507 E. Mesa Park Drive. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has been awarded grant funds which may be spent for the provision of certain services authorized under the U.S. Department of Housing and Urban Development Community Development Block Grant Program, and

WHEREAS, the City of Round Rock wishes to assist qualified homeowners in the minor rehabilitation of their residence by providing a non-interest bearing loan to pay a contractor for labor, materials and equipment to be utilized in the rehabilitation, and

WHEREAS, the City Council desires to enter into a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Felipe and Claudia Ornelas Munoz for the rehabilitation of Lot 2, Block G, Mesa Ridge Section 1, also known as 1507 E. Mesa Park Drive ("Property"), and

WHEREAS, the City Council desires to enter into a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the rehabilitation of the Property, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City, a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Felipe and Claudia Ornelas Munoz, and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc., a copy of said agreements being attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting

was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

*10.E.10. Consider a resolution authorizing the Mayor to execute a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Jerry D. Conner, Sue Conner, and Gina S. Conner, and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the minor rehabilitation of Lot 22, Block D, Chisholm Valley Section 2, also known as 701 Buckskin Drive. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has been awarded grant funds which may be spent for the provision of certain services authorized under the U.S. Department of Housing and Urban Development Community Development Block Grant Program, and

WHEREAS, the City of Round Rock wishes to assist qualified homeowners in the minor rehabilitation of their residence by providing a non-interest bearing loan to pay a contractor for labor, materials and equipment to be utilized in the rehabilitation, and

WHEREAS, the City Council desires to enter into a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Jerry D. Conner, Sue Conner, and Gina S. Conner, for the rehabilitation of Lot 22, Block D, Chisholm Valley Section 2, also known as 701 Buckskin Drive. ("Property"), and

WHEREAS, the City Council desires to enter into a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc. for the rehabilitation of the Property, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City, a Community Development Block Grant - Community Housing Repair Program Homeowner Agreement with Jerry D. Conner, Sue Conner, and Gina S. Conner, and a Community Development Block Grant - Community Housing Repair Program Contractor Agreement with All Tex Building & Restoration, Inc., a copy of said agreements being attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

*10.F.1. Consider a resolution authorizing the Mayor to execute Change Order No. 2 with H. Deck Construction Co. for the Old Settlers Park Baseball Fields Drainage and Parking Improvements Project. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has previously entered into a contract ("Contract") with H. Deck Construction Co. for the Old Settlers Park Baseball Complex Improvements Project, and

WHEREAS, the Council has determined that it is necessary to make changes to the quantity of work to be performed or materials, equipment, or supplies to be provided, and

WHEREAS, it has been determined that it is necessary to change said Contract in accordance with the attached Contract Change Order No. 2, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City Contract Change Order No. 2 to the Contract with H. Deck Construction Co. for the Old Settlers Park Baseball Complex Improvements Project, a copy of said change order being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

*10.G.1. Consider a resolution authorizing a property tax refund to Baltgem

Development Corp. for 2003 and 2004 taxes in the amount of \$39,425.13. This item was

approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock is mandated by V.T.C.A., Tax Code §31.11 to refund, upon taxpayer application to the tax collector of its taxing unit and upon verification by the auditor of its taxing unit, any overpayment or erroneous payment of taxes; and

WHEREAS, if such amount exceeds \$500.00, then the governing body of the taxing unit must also determine that the payment was erroneous or excessive and must approve the refund, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the following named taxpayer, Baltgem Development Corp. has made an overpayment or erroneous payment of 2003 and 2004 taxes in the amount of \$39,425.13; that such amount is in excess of \$500.00; that such overpayment or erroneous payment has been verified by the Tax Collector; and that application for refund has been made to the Tax Collector by said taxpayers.

The Council further finds and makes a determination that the payment was erroneous or excessive; and further approves such refund in the amount of \$39,425.13.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

*10.G.2. Consider a resolution authorizing a property tax refund to Penta Jeffrey Way,

L.P. for 2005 taxes in the amount of \$1,218.96. This item was approved under the consent

agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock is mandated by V.T.C.A., Tax Code §31.11 to refund, upon taxpayer application to the tax collector of its taxing unit and upon verification by the auditor of its taxing unit, any overpayment or erroneous payment of taxes; and

WHEREAS, if such amount exceeds \$500.00, then the governing body of the taxing unit must also determine that the payment was erroneous or excessive and must approve the refund, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the following named taxpayer, Penta Jeffrey Way has made an overpayment or erroneous payment of 2005 taxes in the amount of \$1,218.96; that such amount is in excess of \$500.00; that such overpayment or erroneous payment has been verified by the Tax Collector; and that application for refund has been made to the Tax Collector by said taxpayers.

The Council further finds and makes a determination that the payment was erroneous or excessive; and further approves such refund in the amount of \$1,218.96.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

*10.G.3. Consider a resolution authorizing a property tax refund to Q-Media Services

Austin, Inc. for 2004 taxes in the amount of \$2,255.22. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock is mandated by V.T.C.A., Tax Code §31.11 to refund, upon taxpayer application to the tax collector of its taxing unit and upon verification by the auditor of its taxing unit, any overpayment or erroneous payment of taxes; and

WHEREAS, if such amount exceeds \$500.00, then the governing body of the taxing unit must also determine that the payment was erroneous or excessive and must approve the refund, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the following named taxpayer, Q-Media Services Austin, Inc. has made an overpayment or erroneous payment of 2004 taxes in the amount of \$2,255.22; that such amount is in excess of \$500.00; that such overpayment or erroneous payment has been verified by the Tax Collector; and that application for refund has been made to the Tax Collector by said taxpayers.

The Council further finds and makes a determination that the payment was erroneous or excessive; and further approves such refund in the amount of \$2,255.22.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

*10.G.4. Consider a resolution authorizing a property tax refund to Unit Instruments,

Inc. for 2005 taxes in the amount of \$2,984.85. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock is mandated by V.T.C.A., Tax Code §31.11 to refund, upon taxpayer application to the tax collector of its taxing unit and upon verification by the auditor of its taxing unit, any overpayment or erroneous payment of taxes; and

WHEREAS, if such amount exceeds \$500.00, then the governing body of the taxing unit must also determine that the payment was erroneous or excessive and must approve the refund, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the following named taxpayer, Unit Instruments, Inc. has made an overpayment or erroneous payment of 2005 taxes in the amount of \$2,984.85; that such amount is in excess of \$500.00; that such overpayment or erroneous payment has been verified by the Tax Collector; and that application for refund has been made to the Tax Collector by said taxpayers.

The Council further finds and makes a determination that the payment was erroneous or excessive; and further approves such refund in the amount of \$2,984.85.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 13th day of April 2006.

COUNCIL COMMENTS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 9:06 p.m.

Respectfully Submitted,

Christine R. Martinez, City Secretary